

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of May 30, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 50-0951.

In the Office Action, Claims 1-6, 8, 12, 13, 15-21, 23, and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,642,346 to Janes, *et al.* (hereinafter Janes). Claims 7, 9-11, 14, 22, 24-26, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Janes in view of U.S. Published Patent Application 2004/0119743 to Xu (hereinafter Xu).

Although Applicants respectfully disagree with the stated rejections, Applicants nevertheless have amended the claims so as to expedite prosecution by emphasizing certain aspects of the invention. Applicants respectfully note, however, that such amendments are not intended and should not be interpreted as the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

In particular, Applicants have amended independent Claims 1, 13, 16, and 28 to further emphasize certain aspects of the invention. Applicants also have amended dependent Claims 5, 15, and 20 to maintain consistency among the claims and have cancelled dependent Claims 6 and 21. As discussed below, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments presented.

*Certain Aspects Of The Invention*

It may be useful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by Claim 1, is an electronic commerce method. The method can include determining one or more e-commerce partners. After determining one or more e-commerce partners, a further step can be performed with respect to each e-commerce partner so as to determine whether one or more of the e-commerce partners is an active partner. (See, e.g., Specification, paragraph [0023], lines 4-7 ; see also paragraph [0039], lines 2-4.)

More particularly, the determination can be made on the basis of one or more of the following steps: detecting whether a transaction has occurred with the e-commerce partner within a designated time period; determining whether transactions involving the e-commerce partner exceed a designated valuation threshold; determining whether a transaction involving the e-commerce partner exceeds a designated data size; and determining whether the e-commerce partner has a preference level above a designated preference level. (See, e.g., Specification, paragraph [0024], lines 1-13.)

The method can further include presenting a partner identifier within a commerce graphical user interface for the e-commerce partner, wherein within the commerce graphical user interface the partner identifier is an expandable node. Additionally, the method can include presenting an expansion of at least one of the nodes within the commerce graphical user interface. The method can also include, with respect to each such expansion, presenting at least one transaction identifier as a child node of the expanded node, wherein each transaction identifier represents an electronic commerce transaction between a user of the commerce graphical user interface and the e-commerce partner.

**The Claims Define Over The Cited References**

As noted above, independent Claims 1, 13, 16, and 28 were each rejected as having been anticipated by Janes. Janes is directed to a "livestock and material inventory system," the system including an inventory database and at least one data "explorer" for accessing predetermined portions of data from the inventory database. (Abstract, lines 1-5.) An additional aspect of Janes is a graphical user interface that includes a display window for displaying, in "a hierarchical tree structure," representations of the inventory data. (See, e.g., Col. 2, lines 32-36.)

Applicants respectfully submit, however, that Janes fails to teach, expressly or inherently, every feature recited in amended Claims 1, 13, 16, and 28. For example, Janes nowhere expressly or inherently describes an electronically-implemented procedure for determining one or more e-commerce partners, or for further assessing whether or not the e-commerce partners are active partners, as recited in Claims 1, 13, 16, and 28.

In a portion of the reference cited at page 3 of the Office Action, Janes merely describes a system that allows a user to choose the manner in which certain "customers" are to be displayed in a graphical user interface:

"The SQL query is built according to the selections made on the explorer tool bar. For example, for the Order Explorer, the user may indicate if all customers are to be shown in the left panel, or just customers with orders."  
(Col. 8, lines 18-21.) (Emphasis supplied.)

Applicants respectfully submit that Janes' user-determined decision as to how to arrange a display of customers is fundamentally different from Applicants' invention in several fundamental respects. Firstly, Janes leaves the decision entirely up to the preference of a particular user. No automatic determination is made.

Secondly, and more fundamentally, Janes provides no criteria for selection beyond that of a particular user's preference for the manner in which customers are to be displayed. Specifically, Janes fails to provide any mechanism for determining whether a particular customer is an active customer.

In particular, Janes does not detect whether a transaction has occurred with the customer within a designated time period, as explicitly recited in Claims 1, 13, 16, and 28. Identifying whether or not a customer has an outstanding order provides no indication as to time. There is no indication with Janes as to whether the order was placed within a designated time period. Janes simply addresses a binary determination: either the customer has placed an order or the customer has not. Nothing in this, however, suggests any aspect of transaction timing with respect to either the order or the customer.

Janes likewise does not determine whether transactions involving the customer exceed a designated valuation threshold, as also explicitly recited in Claims 1, 13, 16, and 28. Determining whether or not a customer has placed an order indicates nothing about the value of the order.

Similarly, Janes fails to provide any mechanism to determine whether a transaction involving the customer exceeds a designated data size, as further recited in Claims 1, 13, 16, and 28. As noted in the Specification, data size pertains to an amount of electronic memory storage used. (See Specification, paragraph [0024], lines 7-9, regarding number of bytes.) Whether or not a customer has placed an order indicates nothing about the amount of electronic memory utilized to store data pertaining to a transaction with the customer.

Janes, moreover, fails to determine whether the customer has a preference level that exceeds a designated preference level, as also recited in recited in Claims 1, 13, 16, and 28. Again, whether or not a customer has placed an order is a simple binary

determination: either the customer has or has not placed the order; no comparison to a predetermined level is involved. More fundamentally, though, determining whether or not a customer has placed an order indicates nothing about preferences of any kind.

Accordingly, Janes fails to expressly or inherently teach every feature recited in Claims 1, 13, 16, and 28. Applicants respectfully submit, therefore, that Claims 1, 13, 16, and 28 each define over the prior art. Applicants further respectfully submit that, whereas each of the remaining claims depends from Claim 1, 13, 16, or 28 while reciting additional features, these dependent claims likewise define over the prior art.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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